



UNITED STATES DEPARTMENT OF COMMERCE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/540,328 10/06/95 KENNEDY

J VAI-1

EXAMINER

F3M1/1126

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GREENVILLE SC 29601

ART UNIT SCHAFER NUMBER

DATE MAILED: 3304

11/26/96

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/540,328

Applicant(s)

Kennedy

Examiner

James Schaaf

Group Art Unit

3304



☒ Responsive to communication(s) filed on 8/13/96 (and proposed amendment 11/7/96)

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 14-33 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 30, 31, and 33 is/are allowed.

☒ Claim(s) 14, 16-23, 25-27, 29, and 32 is/are rejected.

☒ Claim(s) 15, 24, and 28 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 9

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claim 32 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The metes and bounds of "proximate said player stations" are ill defined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 14, 16-23, 25-27, 29, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brasington.

Regarding claims 14 and 26, Brasington lacks a disclosure of a plurality of spatially separate player stations. Brasington does disclose an input system emulating a keyboard which is not constrained in the physical location of the keys. Games which have multiple players assigned different portions of a keyboard were well known in the art. It would have been obvious to

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provide separate player stations in the Brasington device so that multiple players could play without being crowded around a single location.

Regarding claims 20 and 29, video blackjack programs in which a single player plays against a computer dealer to simulate casino blackjack are well known. Furthermore, casino blackjack games where multiple players play against the same dealer and can see each others cards are well known. It would have been obvious to have a multiple player video blackjack game instead of the flight simulator in order that the blackjack players could have a better simulation of casino blackjack. Note that blackjack poses little problems other than the control interface to multiple player electronic use as the dealer (i.e. the computer) acts independently of player actions and since the players can freely see each other's cards (in some rule variants).

Regarding claim 18, official notice is taken that games existed at the time of the invention where the coin slots were associated with a specific corresponding player position. It would have been obvious to use currency acceptors so that patrons could be charged for the game. It would further be obvious to have the coins slots associated with specific positions so that the credits of differing players could be differentiated.

Regarding claim 21, note that the emulator is mounted in a cabinet.

Regarding claim 32, the combination lacks a ticket dispenser housed by the cabinet proximate the player stations and a printing mechanism. Ticket dispensers and printing mechanisms were known so that players could redeem the tickets for prizes. It would have been obvious to place such a dispenser and printing system on the combination so that players could

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receive prizes. It further would have been obvious to place such a system close to the players so that they could reach them if one wanted to only one system in order to save money.

Allowable Subject Matter

4. Claims 30-31 and 33 are allowed.
5. Claims 15, 24, and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. Since allowable subject matter has been indicated, applicant is encouraged to submit formal drawings in response to this Office action. The early submission of formal drawings will permit the Office to review the drawings for acceptability and to resolve any informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.

Response to Amendment

7. The proposed supplemental amendment received on 11/7/96 has not been entered because it is unsigned.

The Examiner is aware that a signed copy was mailed. This will be entered on receipt. The amendment clarifies the phrasing of certain claims, but would not change the rejections cited in this action.

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Response to Arguments

8. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire **THREE MONTHS** from the date of this action. In the event a first response is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than **SIX MONTHS** from the date of this final action.

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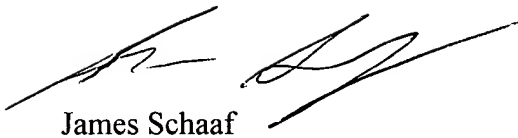
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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Schaaf whose telephone number is (703) 308-3397.



**RALEIGH W. CHIU
PRIMARY EXAMINER
GROUP 3300**



James Schaaf

November 24, 1996